

Staff Report – Board of Zoning Appeals

Docket #:	BZA2022-007	Hearing Date :	April 11, 2022
Applicant:	Midwest Maintenance and Construction, 585 Sayre Court, Greenwood, IN 46143		
Owner:	Billy Bemis, 101 E. Wayne Street, Franklin, IN 46131		
Subject Property Address:	50 airport Parkway, Greenwood, IN 46143		
Staff Contact:	Ed Ferguson, fergusoe@greenwood.in.gov, 317-887-5231		

Request:

Petitioner requests a variance to permit placement of a 32.5 square foot sign on the roof of the building above an insurance office. Section 10-03-08.C.11 prohibits signs from placement on a roof or roof deck.

Background / History :

This suite was previously granted a variance for a roof sign. Current occupant removed that sign with the intent to replace it with the proposed 32.5 square foot sign. Occupant was unaware of the prior variance. The proposed new sign will be mounted on the same support structure as the original sign.

There are two other businesses within this same commercial center that have been granted the same variance for the same reasons. The architectural design of the building, especially the portions with steep sloped roofs, offer little or no space on the front wall to accommodate signage.

Typically a staff report does not make reference to other variances because each petition is to stand on its own merits. But in this case the other variances referenced are on the same building (strip center), but on different suites.

Location:

The subject property is addressed as 50 Airport Parkway and is a strip shopping center located on the west side of the street. Primary tenant in the center is Oaken Barrel Brew Pub and Restaurant. The property is legally described as Section 1, Lot 1, Family Place. The legal description was used in the public notices for this petition. The subject insurance office is located on the northeast corner of the shopping center.

See attached Exhibit A – Aerial Vicinity Map

See attached Exhibit B – Sign Rendering

Indiana Code Reference(s):

- Section 36-7-4-918.5 (Dimensional Variances)

Surrounding Land Uses:

- Existing: CM Commercial Medium -- mixed use trip shopping center
- North: CM Commercial Medium – vacant lot
- South: PUD – Valle Vista Golf Club and residential mix planned unit development

- D. East: CM Commercial Medium – office building and vacant lots
- E. West: RM Residential Medium – Lakeview single-family subdivision

See attached Exhibit A – Aerial Vicinity Map

Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved only upon a determination in writing that:
 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner
 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- Indiana Code Section 9-21-10-3 No Hazard to Air Navigation (if applicable)
 1. The structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

Greenwood Code References:

Unified Development Ordinance, Section 10-03-08.C.11 Signage, Roof Signs -- signs, mounted letters, painted letters or other types of signs shall be prohibited from placement on a roof or roof deck.

PETITIONER'S DETAILED STATEMENTS OF REASONS

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because :**

The approval will not be injurious to the public health, safety, morals, and general welfare of the community because customers are used to illuminated building signage located on the roof throughout not only this existing commercial complex, but throughout the City of Greenwood.

See attached Exhibit B – Sign Rendering

See attached Exhibit C – Roof Structure Close-Up

See attached Exhibit D – Building Close-Up

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because :**

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because other businesses have similar illuminated signage mounted to the roof. Allowing this particular State Farm agent to install illuminated signage to the roof will create and allow a more uniform and consistent look to this existing commercial complex.

See attached Exhibit A – Aerial Vicinity Map

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because :

The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because citizens of the City of Greenwood are used to seeing a roof-mounted sign at this location. By not allowing an illuminated signage, similar to the other businesses, a prospective customer may assume that this office space remains unoccupied. In addition, the limited amount of available façade at this location doesn't lend itself to properly identify this location with the standard, recognizable "State Farm" logo. Finally, a smaller sign mounted to the wall would not be as easily seen from the street and would make it difficult for customers to locate the State Farm office.

See attached Exhibit B – Sign Rendering

See attached Exhibit C – Roof Structure Close-Up

4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.

Not applicable.

Comments and Findings:

This request was approved under a previous variance petition. Petitioner is requesting a slightly larger sign to be permitted on the same original sign support structure. Two other suites in the same commercial center have been granted the same variance for the same reasons. The architectural design of this commercial center is such that sections of the building, such as this one, have little if any wall surface area that will accommodate wall signage of sufficient size.

Overall, staff does not object to petitioner's statements or reasons. Staff does disagree with petitioner's statement that customers are used to illuminated signage on roofs throughout Greenwood. There are very few such signs in the City. The roof slopes and windows in this particular architectural building design are not typical for small strip centers in the community.

Summary and Proposed Conditions:

Staff does not object to petitioner's statements of reasons as a whole.

Staff recommends approval with the following conditions :

1. The roof sign shall not exceed the size or shape as depicted in petitioner's submittal and attached to this report as Exhibit B.
2. The sign shall be mounted on the existing support structure as shown in attached Exhibit B and that sign structure shall be painted a color that blends with the existing roof shingles.

3. No portion of the support structure shall be visible above the top of the sign.

Attachments:

Exhibit A -- Aerial Vicinity Map

Exhibit B -- Sign Rendering

Exhibit C -- Roof Structure Close-Up

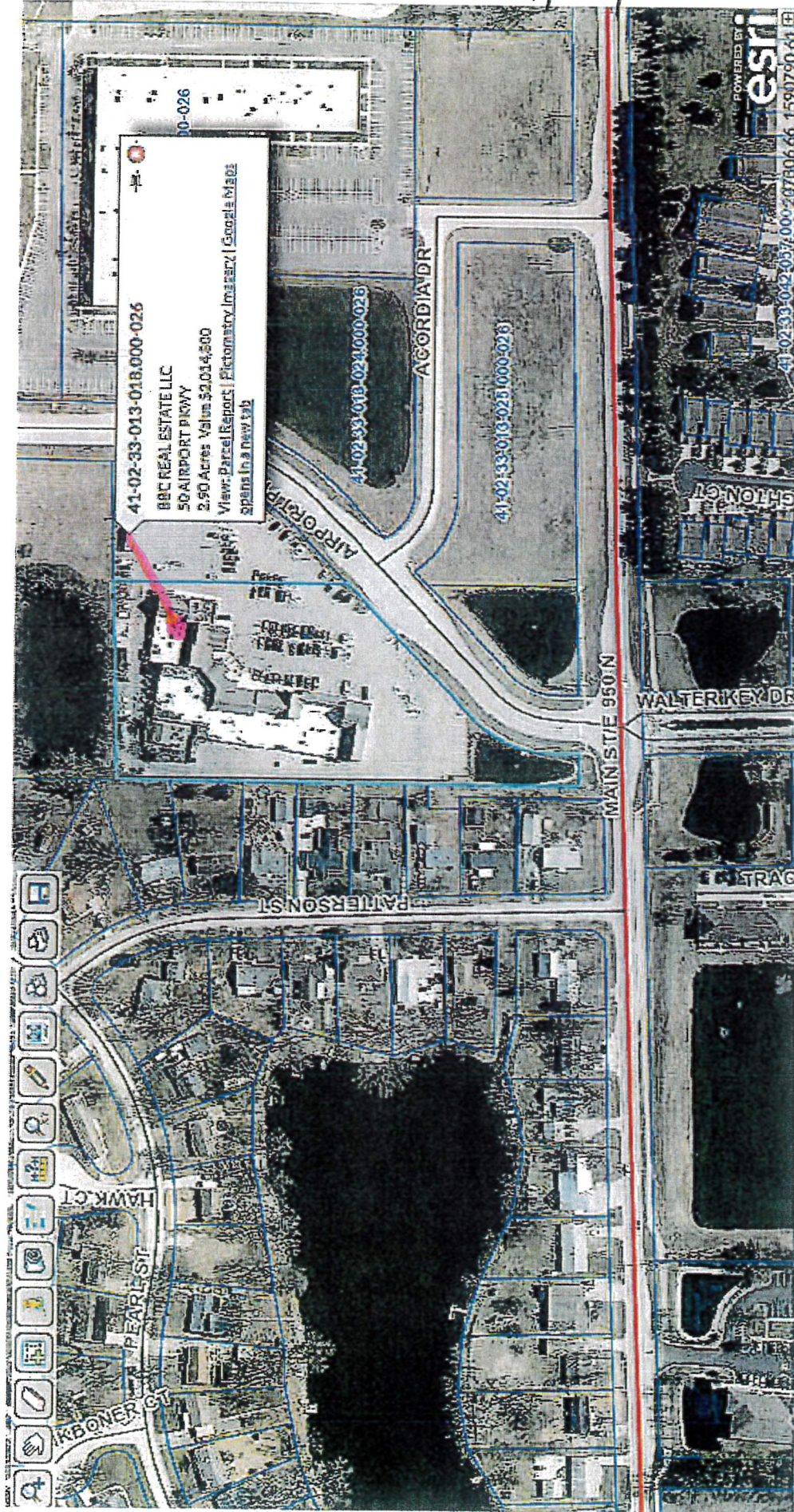
Exhibit D -- Building Close-Up

Result

Parcel
018.00
Alt Id -
Address
Owner
LLC
Acres -
View: P
Imagery
new tab

Exhibit A Aerial Vicinity Map

BZA2022-007



41-02-33-013-018.000-026
BEC REAL ESTATE LLC
50 AIRPORT PKWY
2.90 Acres Value \$2,014,500
View: Parcel Reports | Fictometry Imagery | Google Maps
opens in a new tab

Owner Address BEC REAL ESTATE LLC
PO BOX 1092
GREENWOOD, IN 46142

Alternate ID 2100 33 01 055/04
Class Com Neighborhood shopping center
Acreage 2.901

-33-013-018.000-026

PORT PKWY
NWOOD

026 PLEASANT & CLARK
FAMILY PLACE SEC 1 LOT 1
(Note: Not to be used on legal documents)

Exhibit B Sign Rendering

BZA 2022-007



State Farm

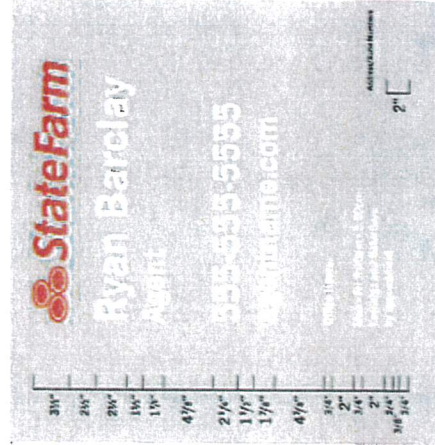
24" high letters / 3-oval symbol is 25.8" high x 39.2" wide;
(14' - 11.5" overall length) **CL24 Red** (32.5 sq. ft.)
Raceway to be painted to match roof.

NOTE: Install does not include facade repair (patch/paint of existing wall).

NOTE: Agent is responsible to have dedicated, adequate electric run to sign location by a local licensed electrician (120V, 20amp). Installers to perform final connect within 5' of sign only. Such wiring must have the approval of the National Board of Fire Underwriters or the municipal department having jurisdiction.

NOTE: Sign does not ship with a photocell or timer. Agent is responsible to have a timer installed at the breaker by a local licensed electrician if needed.

NOTE: Space between Logo and Agent name is 2.5" and bottom of agent name to be 60" from grade.



Overall dimensions: 34' 1/4" h x 24' 3/4" w (approx)

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Everbrite DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. © 2022 Everbrite, LLC, all rights reserved. This document is confidential and proprietary to Everbrite, LLC. Any disclosure to a third party is expressly prohibited.	
Customer: SF: State Farm	Scale:
Project No: 462167	Drawn By: KW
Date: 01/06/2022	Site No: SF98038
Location: Greenwood, IN	
Revised:	Revised:
CUSTOMER SIGNATURE	DATE
LANDLORD SIGNATURE	DATE

Description: 24" LED Channel Letter Logo on Raceway, and Assorted Vinyl

Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite.

Exhibit C
Roof Structure Class

BZA 2022-007



Exhibit D
Building Close-Up

BZA 2022-007

